GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Minorities Welfare Department – KAZIS ACT, 1880 (Central Act XII of 1880) – Kurnool District – Allegations against Sri Mulla Ma Basha, S/o Mabu Saheb, Government Kazi for Rudravaram Mandal, Kurnool District – Enquiry conducted – Show Cause Notice issued– Explanation submitted - Removal from the Post of Government Kazi – Orders – Issued.

MINORITIES WELFARE (IDM) DEPARTMENT

G.O.Rt.No.219 **Dated:14/11/2022**

Read the following:-

1. G.O.Rt.No.49, Minorities Welfare (Wakf-I) Department, dt:11.02.2019.
2. From the Collector and District Magistrate, Kurnool District, Lr.Rc.No. Waqf/E8/2441/2018, dt:16.09.2020.
3. Govt.Memo.No.MNW01-IDM26/15/2018-IDM-MWD, dt:02.12.2020.
4. From the Collector and District Magistrate, Kurnool District Lr.Rc.No./E8/686/2020, dt:21.12.2020 along with the explanation to the Show Cause Notice issued against Sri Mulla Ma Basha, S/o MullaMabu Saheb, Government Kazi, Rudravaram Mandal, Kurnool District, Dt:19.12.2020.
5. G.O.Rt.No.29, Minorities Welfare (IDM) Department, dt:25.03.2021.
6. Orders of the Hon'ble High Court dt:24.08.2021 in W.P.No.15465 of 2021 filed by Sri Mulla Ma Basha, S/o Mulla Mabu Saheb,Alamuru Village, Rudravaram Mandal, Kurnool District.
7. Govt.Memo.No.1490329/IDM/A1/2021, Dt:06.05.2022.
8. From Sri Mulla Ma Basha, S/o Mulla Mabu Saheb, R/o Alamuru Village of Rudravaram Mandal, Nandyal District Explanation dt:20.05.2022 received on 02.08.2022.

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O R D E R

In the first read above, Sri Mulla Ma Basha, S/o Mabu Saheb appointed as Government Kazi for Rudravaram Mandal, Kurnool District, for a period of three (3) years for performing Marriages of Muslim Community only.

2. In the second read above, the District Collector, Kurnool, has reported to the Government stating that a case was booked against the Government Khazi Sri Mulla Ma Basha S/o Mabu Sahebalias name i.e., Sri Shaik Mahaboob Basha, R/o. Alamuru Village, Rudravaram Mandal, Kurnool District vide FIR No.133, dated 10.10.2012 U/s 379, IPC, 21, 26 of AP Forest Act, 1967 at Allagadda (R) Police Station and F.O No.140/12-13 Rudravaram Range under Red Sanders Wood Transit Rules 1969, was booked, wherein he was Accused-1. He has reported that the individual has suppressed the facts and applied for the post of Government Kazi on the name of Sri Mulla Ma Basha, R/o Alamuru Village, Rudravaram Mandal, Kurnool District. The District Collector, Kurnool has, therefore, requested the Government to take further necessary action in the matter. The Collector and District Magistrate, Kurnool has further reported that, the Tahsildar, Rudravaram has conducted re-enquiry with Forest Range Officer, Rudravaram Region which revealed that Sri Mulla Ma Basha S/o MabuSaheb, Government Kazi for Rudravaram Mandal of Kurnool District has hidden the fact about filing of FIR No.133, dated10.10.2012 U/s 379, IPC, 21, 26 of AP Forest Act, 1967 and Red Sanders Wood Transit Rule 1969 and he was booked as 1st Accused in FIR No.133, dated:10.10.2012.Sri Mulla Ma Basha S/o Mabu Saheb, Government Kazi for Rudravaram Mandal of Kurnool district has attended for enquiry before the FRO, Rudravaram region and he submitted his statement on 18.08.2020, wherein he was agreed that he has alias names Sri Shaik Mahaboob Basha, Mulla Raja and Mulla Ma Basha and also confessed that he was accused in the Cr.No.133/2012 of Allagadda (R) Police Station and F.O No.140/12-13 Rudravaram Range.

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3. In the reference third read above, Government have issued a Show Cause Notice against Sri Mulla Ma Basha, S/o MabuSaheb, Government Kazi for Rudravaram Mandal, Kurnool District with a direction to show cause, as to why his services may not be removed as Government Kazi, for Rudravaram Mandal, under Section 2 of Kazis Act, 1880, as he was found guilty of mis-conduct, misinformation for getting benefitted as Government Kazi, which is an unbecoming act from his part, within (15) days, from the date of receipt of the Memo, failing which, action will be initiated against the individual based on the merits and material available on records. In the reference 4th read above, Sri Mulla Ma Basha, S/o MabuSaheb, Government Kazi for Rudravaram Mandal, Kurnool District has denied the allegations levelled against him and has requested the Government to drop further action against him.

4. In the reference fifth read above, after examination of the matter, the Government have removed Sri Mulla Ma Basha, S/o Mabu Saheb, from the post of Government Kazi for Rudravaram Mandal, Kurnool District in exercise of powers conferred under /Section 2 of Kazis Act, 1880, with immediate effect.

5. In the reference sixth read above, the Hon'ble High court has set aside the impugned G.O.Rt.No.29, Minorities Welfare (IDM) Department, dt:25.03.2021, and the Show-Cause notice dated 02.12.2020 duly giving liberty to the first respondent i.e. Principal Secretary to Government, Minorities Welfare Department, to issue a fresh show-cause notice to the petitioner, asking for explanation and on receipt of such explanation from the petitioner and directed to take appropriate action in the matter.

6. In pursuant to the orders of the Hon'ble High Court in the reference sixth cited, Government have issued a fresh Show Cause Notice in the seventh above to Sri Mulla Ma Basha, S/o Mabu Saheb, Government Kazi for Rudravaram Mandal, Nandyal District that he hidden the fact about filing of FIR No.133, dated10.10.2012 U/s 379, IPC, 21, 26 of AP Forest Act, 1967 and Red Sanders Wood Transit Rule 1969 and he was booked as 1st Accused in FIR No.133, dated:10.10.2012.Sri Mulla Ma Basha S/o MabuSaheb, Government Kazi for Rudravaram Mandal of Kurnool district has attended for enquiry before the FRO, Rudravaram region and he submitted his statement on 18.08.2020, wherein he was agreed that he has alias names Sri Shaik Mahaboob Basha, Mulla Raja and Mulla Ma Basha and also confessed that he was accused in the Cr.No.133/2012 of Allagadda (R) Police Station and F.O No.140/12-13 Rudravaram Range. Therefore, directed him to show cause as to why his services may not be removed as Government Kazi for Rudravaram Mandal, as per Section 2 of Kazis Act, 1880, as he was found guilty of mis-conduct, disinformation for getting benefitted as Government Kazi, which is an unbecoming act from his part to Government, within fifteen (15)days from the date of receipt of the Memo, failing which, action will be initiated against the individual based on the merits and material available on records.

7. In the reference eighth read above, Sri Mulla Ma Basha, S/o Mabu Saheb, Government Kazi for Rudravaram Mandal, Kurnool District has submitted his explanation and denied the allegations leveled against him stating that he has not involved himself in any criminal case more particularly in the one mentioned in the subject of his explanation and it seems that some of the person who are enimical to him might have mislead the District Collector and District Magistrate, Kurnool District in making beseless report against him. He has also stated that after receipt of the show cause notice he has made enquiries in Allagadda Court and learnt that one Shaik Mahaboob Basha, S/o Shaik Mahaboob, resident of Alamur Village of Rudravaram Mandal was arrayed as A1 in the subject Crime. Another person Dudekula Dastagiri, s/o. D.Vannuru Saheb @ Vannappav, resident of Mittapalli Village, Allagadda Mandal, was arrayed as A2 and another person Byri Gurappa, S/o

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Byri Naganna, resident of Ahobilam Village, Allagadda Mandal was arrayed as A3. He has also stated that his name is Mulla Ma Basha, S/o MabuSaheb, but not Shaik Mahaboob Basha and it seems that at the behest of some persons who are enimical to him, misled the District Collector and District Magistrate, Kurnool District to misread his name in place of the name of A1 in the subject Crime in view of the common village of himself and the said A1. He has also submitted that he has completed all the required Islamic Studies to be eligible to be either a kazi or an Islamic Scholar and also stated that he hasn't committed any such offence as alleged against him. He has also stated that before his appointment as Government Kazi the Police Department has made extensive enquiries about his conduct and character and after having satisfied themselves the police concerned issued verification certificate starting that he has not been involved in any criminal cases.

8. The explanation of Mulla Ma Basha, S/o Mabu Saheb, has been examined and observed the incumbent denied the allegations and in turn made allegations the District Collector as he reported on enimical basis submitted report against him is not correct. As per the reports of the Thasildar and Forest Officer the individual has given confession statement on 18.08.2020, wherein he was agreed that he has alias names Sri Shaik Mahaboob Basha, Mulla Raja and Mulla Ma Basha and also confessed that he was accused in the Cr.No.133/2012 of Allagadda (R) Police Station and F.O No.140/12-13 Rudravaram Range. Hence, the allegations are correct and as per the material available in this case his explanation is not acceptable, therefore, the same has been rejected.

9. After careful examination of the explanation of Sri Mulla Ma Basha, S/o Mabu Saheb in the eigth read above and merits of the case and also record available in the matter, hereby remove Sri Mulla Ma Basha, S/o Mabu Saheb to from the post of Government Khaji, Rudravaram Mandal, Kurnool District.

10. The following Notification shall be published in the next issue of Andhra Pradesh State Gazette:-

NOTIFICATION

"In exercise of the powers conferred under Section-2 of the Kazi's Act, 1880 (Central Act XII of 1880), the Government of Andhra Pradesh, hereby remove Sri Mulla Ma Basha, S/o Mabu Saheb, from the post of Government Kazi for Rudravaram Mandal, Kurnool District in exercise of powers conferred under Section 2 of Kazis Act, 1880, with immediate effect."

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A MD IMTIAZ
SECRETARY TO GOVERNMENT

To
Sri Mulla Ma Basha S/o Mabu Saheb, Alamur Village,
Rudravaram Mandal, Government Kazi for Rudravaram Mandal
Kurnool District. (through the Collector and District Magistrate, Kurnool).
The Collector and District Magistrate, Kurnool District.
The Chief Executive Officer, A.P. State Waqf Board, Vijayawada.
(with a direction to collect the marriage booklets issued if any, from
Sri Mulla Ma Basha S/o MabuSaheb, Alamur Village,
Rudravaram Mandal, Government Kazi for Rudravaram Mandal).
Copy to:
The District Minorities Welfare Officer, Kurnool,
P.S. to Hon'ble Deputy Chief Minister (M.W.), A.P.,Secretairat, Velagapudi,
P.S. to Principal Secretary to Government, Minorities Welfare Department,
A.P. Secretariat, Velagapudi.
SC/SF.

//FORWARDED :: BY ORDER//

P.N.V.Lakshmi
SECTION OFFICER